

1
2
3
4
5
6
7
8 MARIO JOSEPH BARDO,
9 Petitioner,
10 v.
11
12 KEN CLARK, Warden,
13 Respondent.
14
15

16 Case No. 19-00759 BLF (PR)
17
18

**ORDER DENYING MOTION FOR
EXTENSION OF TIME AS
UNNECESSARY**

19 (Docket No. 39)
20
21
22
23
24
25

Petitioner, a California state prisoner, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254 with the assistance of counsel. On October 28, 2019, the Court granted Petitioner's motion to dismiss counsel of record and reopened the matter to permit Petitioner an opportunity to file an opposition to Respondent's motion to dismiss the petition for failure to exhaust state court remedies. Dkt. Nos. 20, 23. Because of the delay in Petitioner obtaining his trial records from former counsel, the Court stayed briefing. Dkt. No. 37. Accordingly, Petitioner's motion for another extension of time to file opposition is DENIED as unnecessary. Dkt. No. 39.

Former counsel filed notice on June 17, 2020, that he was sending boxes containing Petitioner's case files to him at CSATF on the same day. Dkt. No. 28. Accordingly, Petitioner shall file notice with the Court as soon as he receives the files so that the Court

1 can reset briefing in this matter.

2 This order terminates Docket No. 39.

3 **IT IS SO ORDERED.**

4 Dated: June 7, 2020


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California

25 Order Denying Mot. as Unnecessary
P:\PRO-SE\BLF\HC.19\00759Bardo_deny.eot.docx